



Tuition Handbook

Effective July 1, 2024

Contents

IMPORTANT INFORMATION	2
1. Definitions	2
2. Student’s District of Residence	3
3. Transportation.....	3
4. Causes for Attendance Outside District of Residence	3
5. Responsibilities of Parties.....	3
Parent Responsibilities.....	4
District of Attendance Responsibilities	4
District of Residence Responsibilities	4
6. Attendance Agreements	4
7. Attendance Agreement Flow	5
8. In-State Facility Placement	5
9. Non-Residential Day Treatment Programs	5
10. State Institution Placement	6
11. Out of State Attendance	6
12. State Paid Tuition: State and Court Placed Students	6
13. Tuition Rates and Payment	7
14. Special Tuition Rates.....	7
15. Tuition Reimbursement (FP15).....	8
16. Payment Between Districts	8
Tuition	8
Transportation	9
17. Levy	9
Calculation Options	9
18. Accounting Guidance: Expenditure Codes	10
19. Accounting Guidance: Revenue Codes	10
20. Attendance Action Flow	11
21. Attendance Examples.....	12

This document is intended as general guidance and will be updated as additional information becomes available. For specific questions, please contact opischoolfinance@mt.gov.

Contact Information

Andrea Mohammadi

- Desk: (406) 444-1960
- Cell: (406) 438-6623 cell
- Andrea.Mohammadi@mt.gov

Enly Kovis

- Desk: (406) 444-1579
- Enly.Kovis2@mt.gov

IMPORTANT INFORMATION

- Districts are only responsible for the students in grade levels that they currently serve. For example, a K-8 district is not responsible for 9-12 students and vice versa.
- Tuition is required to be paid by all districts for approved attendance agreements under [§20-5-320, MCA \(HB 203 – 2023 Session\)](#)
- Districts should not use the permissive levy as a means to increase overall special education expenditures. It is intended to help districts pay for the costs of high needs special education students without sending them outside their resident district for services.

1. Definitions

Term	Definition
Discretionary Attendance	Out of district attendance in which the student's request for attendance may only be denied if certain conditions are present, in accordance with §20-5-320, MCA
District of Attendance	The district in which the student is enrolling, which is not their district of residence; sometimes known as District of Choice.
District of Residence	The district the student would attend based on location of their primary residence.
Foster Care	Care in a private residence licensed by the Department of Public Health and Human Services, including youth foster homes and kinship foster homes.
In-State Treatment Facility	A facility, such as a children's psychiatric hospital, a residential treatment facility, or a therapeutic group home located in Montana, that provides medical and/or psychiatric treatment to minors.
Mandatory Attendance	Out of district attendance in which the student's request for attendance cannot be denied
State Licensed Group Home	A youth group home licensed by the Department of Public Health and Human Services.
Tuition Per ANB Amount	The applicable per-ANB maximum rate plus the amounts of the instructional block grant and the related services block grant.

2. Student's District of Residence

Students who meet the age, residency and enrollment requirements of a district are required to be admitted to a school within the district. However, parents, guardians, a state agency, the courts, or the resident school district, may feel that a student is better served in a non-resident school. Students enrolled in non-resident schools must have a tuition agreement in place prior to attendance.

A student's District of Residence is determined according to [§1-1-215, MCA](#).

Students must be admitted regardless of residence, without standard out-of-district proceedings or attendance agreements, if they are homeless or military children under the provisions of [§20-5-101, MCA](#).

3. Transportation

Per [§20-5-320\(2\)\(b\), MCA](#), a child enrolling outside of their District of Residence by parent request is not an eligible transportee. Transportation is the responsibility of the parent or guardian but may be provided by agreement of the District of Residence and the District of Attendance or be discretionarily provided by the District of Attendance. Transportation would then be included as part of the attendance agreement. Tuition payment may be a set dollar amount per mile, over-schedule costs, or reimbursement under a TR-4 Individual Transportation Contract.

For additional information on pupil transportation, please visit the [Pupil Transportation webpage](#).

4. Causes for Attendance Outside District of Residence

Students may attend a school outside of their District of Residence, and reasons for doing so are classified as *discretionary* (attendance without extenuating circumstances) or *mandatory* (attendance due to extenuating circumstances) attendance reasons.

For *discretionary* attendance requests, the trustees of the district of attendance shall approve the application unless the trustees find that the impact of approval of the application will negatively impact the quality of education for resident pupils per [§20-5-320\(2\)\(e\), MCA](#).

Mandatory attendance requests must be approved if the request meets the requirements of [§20-5-321, MCA](#).

In a *district-to-district agreement*, a student may attend a school outside of the District of Residence because of limited class offerings, such as kindergarten, accredited 7-8 programs, or AP courses. Trustees of both districts must enter into a tuition agreement for the attendance of the student seeking access to the programs.

5. Responsibilities of Parties

Whenever a parent or guardian of a child wishes to have the child attend out of district of residence, the parent or guardian must apply to the district where the child the parent or guardian wishes the child to attend. The application must be made on an attendance

agreement form supplied by the district and developed by the superintendent of public instruction [§20-5-320, MCA](#).

Parent Responsibilities

- Submit the out of district attendance request to the District of Attendance on the form provided.
- Provide sufficient information to the District of Attendance.

District of Attendance Responsibilities

- Serve children who are residents of the district and mandatory nonresident children seeking enrollment under [§20-5-321, MCA](#), prior to enrolling children under this section.
- Notify parents and the district of residence of the expected date for approval or disapproval of an attendance request within ten days of receipt, per [§20-5-321, MCA](#).
- Provide copies of the attendance agreement, within ten days of approval or disapproval, to the county superintendent of schools of the county of residence, the trustees of the District of Attendance, the parent or guardian, and the Superintendent of Public Instruction.
 - Submit forms via File Transfer Service to School Finance business analyst Andrea Mohammadi at andrea.mohammadi@mt.gov.

District of Residence Responsibilities

- After another district has approved an attendance request
 - Coordinate with the other district to complete the attendance agreement, including determination of tuition costs
- Remit timely payment of tuition invoices (see sections 11 and 12)

6. Attendance Agreements

Any student attending a school or facility outside their district of residence must have an attendance agreement in place. The attendance agreement form is provided by the Office of Public Instruction, but additional forms may also be created by districts. Any additional forms created by districts must have clearly defined procedures outlining the form justification and use before implementation.

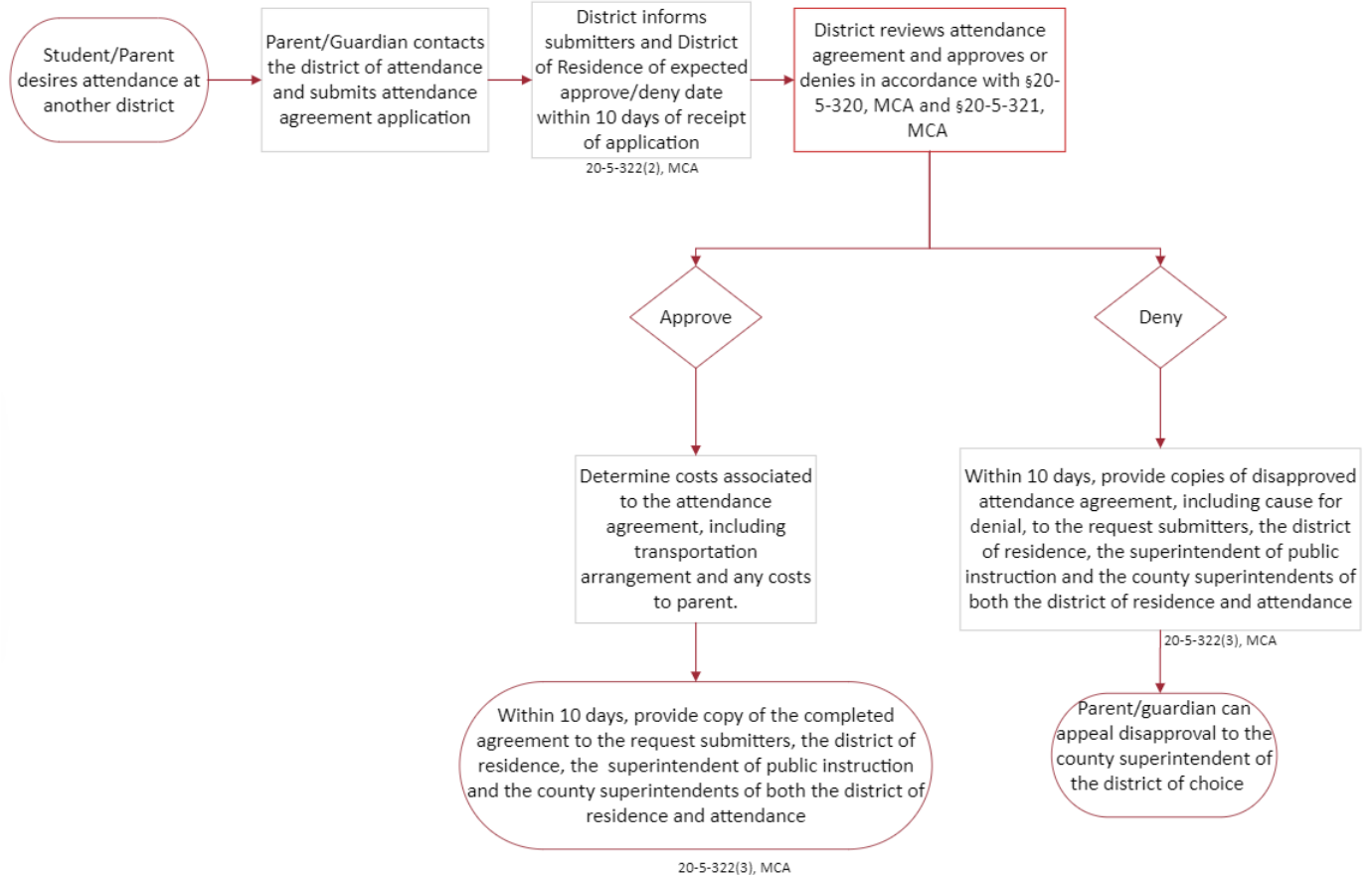
There are 2 forms to be used in attendance scenarios:

- FP-14.1 Parent or District Student Attendance Agreement
 - To be used in instances of mandatory or discretionary attendance in which the students' representative is their parent, guardian, or group home manager
- FP-14.2 Foster and Group Home Student Attendance Agreement
 - To be used in instances of mandatory or discretionary attendance in which the students' representative is a state agency or court and the student has been placed in a foster or group home

Attendance Agreement Forms can be downloaded from the Office of Public Instruction [Tuition and Attendance webpage](#).

7. Attendance Agreement Flow

Attendance Request Flow which must occur in the fiscal year before attendance



8. In-State Facility Placement

Per [§20-7-435, MCA](#), facilities, such as a children’s psychiatric hospital, a residential treatment facility, or a therapeutic group home, that contract with OPI are responsible for the ongoing education of the students in their care.

School districts will work with such facilities as they would with another school district. Attendance agreements and tuition payments are required.

Facilities that contract with the Office of Public Instruction and conduct in-facility educational programs are eligible to receive payment reimbursement for their educational costs. The rate for payment is different for each facility as determined by facility’s actual educational cost and is set per their individual contracts. Districts are liable for 40% of the tuition amount for each student and will receive bills for their portion from the facilities. The billing from facilities must be consistent with the dates and expectations of billing between districts (see section 11 and 12).

9. Non-Residential Day Treatment Programs

If a student attends day school at a private, non-sectarian day program and meets the qualifications, the district of residence may submit an FP15 form to the OPI for reimbursement of the tuition paid (see section 15).

For students in foster care or group homes, the district of attendance may decide that the student is best served in a private, non-sectarian day treatment program. In that instance, the district of attendance retains the enrollment, but does not collect ANB for the student.

The requirements for eligibility for an FP-15 Tuition Claim are:

- The student was enrolled in the District of Residence on one or both count dates
- The student was not claimed by an in-state facility for reimbursement
- The student was not counted for Fall or Spring ANB
- The student has a valid IEP as of the count date

10. State Institution Placement

Districts of Residence are not liable for standard tuition cost for a student who is placed by the state in a state-funded institution or detention facility. However, if the facility sends the student to a nearby school, the district of residence and district of attendance must proceed with an attendance agreement per [20-7-424, MCA](#).

Youth detention facilities in Montana are:

- a. Missoula County Juvenile Detention Facility (Missoula)
- b. Flathead County Juvenile Detention Facility (Kalispell)
- c. Richland County Juvenile Detention Facility (Sidney)
- d. Cascade County Juvenile Detention Facility (Great Falls)
- e. Troy Juvenile Detention Facility
- f. Ted Lechner Youth Services Center (Billings)
- g. RYO Juvenile Facility (Galen)
- h. Pine Hills Correctional Facility (Miles City)

11. Out of State Attendance

If students with disabilities are placed out of state by a Montana state agency, the placing agency is responsible for education costs in accordance with 20-7-422, MCA. Per 20-5-314, MCA, the State of Montana may enter a reciprocal attendance agreement with an adjoining state or province.

Students attending school out of state at district expense are eligible for a tuition reimbursement under the provisions of an FP-15. The amount of daily tuition for a child attending public school in another state may not be greater than the average annual cost for each student in the child's district of residence.

12. State Paid Tuition: State and Court Placed Students

State agency placements usually involve a Department of Health and Human Services caseworker who places a student into a group home or foster care licensed by Montana. Court placements involve a juvenile probation officer or a tribal or youth court judge. Regardless of who initiates the placement, state-paid tuition for any student placed in a foster care or state-licensed group home outside their district of residence is provided per 20-5-321(1)(e), MCA. Therefore, even students placed in foster care or a group home by a parent are covered. In these cases, the Attendance Agreement form (FP-14.2) must be signed by a caseworker or representative of the court.

13. Tuition Rates and Payment

The District of Residence shall pay the District of Attendance the lower of the percentage of either school district's adopted general fund budget, not to exceed 35.3%. For example, if the District of Residence is 35.3% and District of Attendance is 15.5%, the District of Residence will pay 15.5% of the tuition per-ANB amount for the year of attendance. Tuition rates are prorated based on the number of days the student is enrolled in the district. The total tuition charge is calculated by dividing the number of days the student is enrolled by the number of scheduled pupil instruction days in the District of Attendance for the year of attendance.

If costs for a student without disabilities exceed the average district costs, additional information is available under [§20-5-323\(3\), MCA](#).

Tuition and additional rates for a student with disabilities must be calculated according to [Title 20, Chapter 7, Part 4, MCA](#) and [Title 20, Chapter 5, Part 3, MCA](#). Please visit the [Special Education webpage](#) for more information.

14. Special Tuition Rates

Special tuition rates may be added to the regular tuition rate, above, if the child has a disability or is a student without a disability who requires a special program with costs that exceed the average district cost.

There are 4 different calculations for special tuition rates:

1. **Option A:** The Option A tuition rate is based upon the hours of services required per week in a student's Individualized Education Program (IEP). A minimum of 15 hours per week is required for this calculation. The special rate is determined by dividing the number of hours per week required in the IEP by 30, then multiplying the result by the regular tuition rate $((x \text{ hours per week}/30 \text{ hours}) \times (\text{regular education tuition rate}))$.
2. **Option B:** The Option B tuition rate is based upon the services provided to a student with an IEP. The costs are for special education and related services unique to the student (including one-on-one staff, specialized equipment and supplies), excluding the cost of removal of architectural barriers, costs of ordinary special education services, including teacher salaries and benefits, and costs of equipment and supplies commonly used in special education programs.
3. **Option C:** The Option C tuition rate is applied to specific school district programs providing services for students with incidence disabilities, including programs that allow out of district enrollment specifically for the program. The rate is determined by calculating the total cost of the program and dividing by the average number of students expected to participate in the program for the following year. The application of this rate requires the prior approval of the OPI.
4. **Programs Exceeding Average District Cost:** The Programs Exceeding Average District Cost rate is for students without disabilities that have higher educational costs than the average cost for other students in the district. The maximum tuition rate paid under this option may not exceed \$2,500.

The total cost of a student's program under Option B and Option C rates are reduced by 120% of the maximum tuition per-ANB amount. Option A, B and C rates are paid in addition to the regular rate for a student's year of attendance.

15. Tuition Reimbursement (FP15)

School districts may apply to the OPI for an FP-15 DSA tuition reimbursement when the district has paid tuition for a resident student attending a private, non-sectarian day treatment program under an approved IEP in the previous school year or attending an out-of-state school.

Tuition reimbursements paid under an FP-15 are deposited into the district tuition fund and must be used by the district to pay obligations for resident students attending public schools out of state or for resident students attending day treatment programs under an IEP at private, non-sectarian day treatment programs at district expense.

All students attending private, non-sectarian day treatment programs must be excluded from ANB. However, students who do not have an IEP are ineligible for a tuition reimbursement and the district may not use the tuition fund to pay the tuition charges. Regular education student programs are financed from the General Fund (01) or any other legally allowed fund.

The FP-15 form must be submitted no later than June 30th following the student's year of attendance and must include a copy of the tuition invoice sent to the district.

The payment to districts will be the lesser of:

- 1) the state portion of the per-ANB entitlement for which the district would have been eligible if the student had been enrolled in the resident district in the prior year; or
- 2) the district's actual payment of tuition or fees for the service for the student in the previous year.

16. Payment Between Districts

Tuition

By July 15 following the year of attendance, districts must notify or invoice other school districts for any tuition obligation accrued in the prior year. Districts receiving such notification must make at least one-half of any tuition obligation by December 31 of the school fiscal year following the year of attendance. The remaining tuition obligation must be paid by June 15 of the school fiscal year following the year of attendance.

Tuition receipts are credited to the district General Fund (01) with the following exceptions:

- Receipts for an out of district placement of a student without disabilities in a Program Exceeding Average District Cost due to placement in the protective custody of the state, a group home, or foster care that exceed receipts from the prior year may be credited to the Miscellaneous Programs Fund (15) and used for that year to support the cost of the program for which the tuition was received;
- Tuition receipts for the current school fiscal year for a child with a disability that exceed the amount received for a student without disabilities may be credited to the Miscellaneous Programs Fund (15) and used for that year to support the cost of the program for which the tuition was received; OR
- Any other tuition receipts for the current school fiscal year that exceed the tuition receipts of the prior year credited to the Miscellaneous Programs Fund (15) and

used in the manner provided for in that fund (for the ensuing fiscal year, the receipts must be credited to the district general fund budget).

Any tuition disputes that arise between the two districts must be resolved by the districts.

Transportation

Transportation financial agreements exist under a separate timeline from Tuition and receipts are credited to the district's Transportation Fund (10). For information on the transportation reimbursements, please visit [§20-10-145, MCA](#) and [ARM 10.7.104](#).

17. Levy

Districts of residence can levy the tuition amount due to districts of attendance with a permissive levy. The trustees of a district must adopt and notice a resolution to run a permissive levy no later than March 31st of each fiscal year ([§20-9-116, MCA](#)).

To assist districts in calculating the levy amount, the OPI has developed a spreadsheet, which is available on the [Tuition and Attendance webpage](#). Districts enter their LE number and the total cost of the student's educational program. The spreadsheet prorates the payments and subtracts them from the total program cost.

Calculation Options

Districts have two options for calculating their tuition levy:

1. Districts may levy in the year of enrollment, using the In-District Special Education Permissive Levy Calculator. Both the cost and the levy amount are estimated. Districts expend the calculated amount from the tuition fund and the remainder from the general fund (or any other allowed fund). At the end of the year, the district calculates actual cost and re-calculates the levy amount. If the final levy amount is less than what was estimated, lower the total tuition levy by the difference in the next fiscal year. If the final levy amount is more than what was estimated, the district has the option to increase the levy in the next year for the difference.
2. Districts may take an interfund loan to cover the costs estimated using the In-District Special Education Permissive Levy Calculator. Districts expend the calculated amount from the tuition fund and the remainder from the general fund (or any other allowed fund). At the end of the year, the district uses actual cost to generate a levy amount for the next fiscal year and pays back the interfund loan from the prior year.

The district may levy for both the prior year and the current year at the same time. However, districts should be aware of the overall impact the permissive levy will have on taxpayer mills. Districts may also opt to only levy a portion of the calculated levy amount if they so choose.

Expenditures with a 280 Program Code from the Tuition Fund (13) are included in the Maintenance of Effort calculation; therefore districts should not use the permissive levy as a means to increase overall special education expenditures. It is intended to help

districts pay for the costs of high needs special education students without sending them outside their resident district for services.

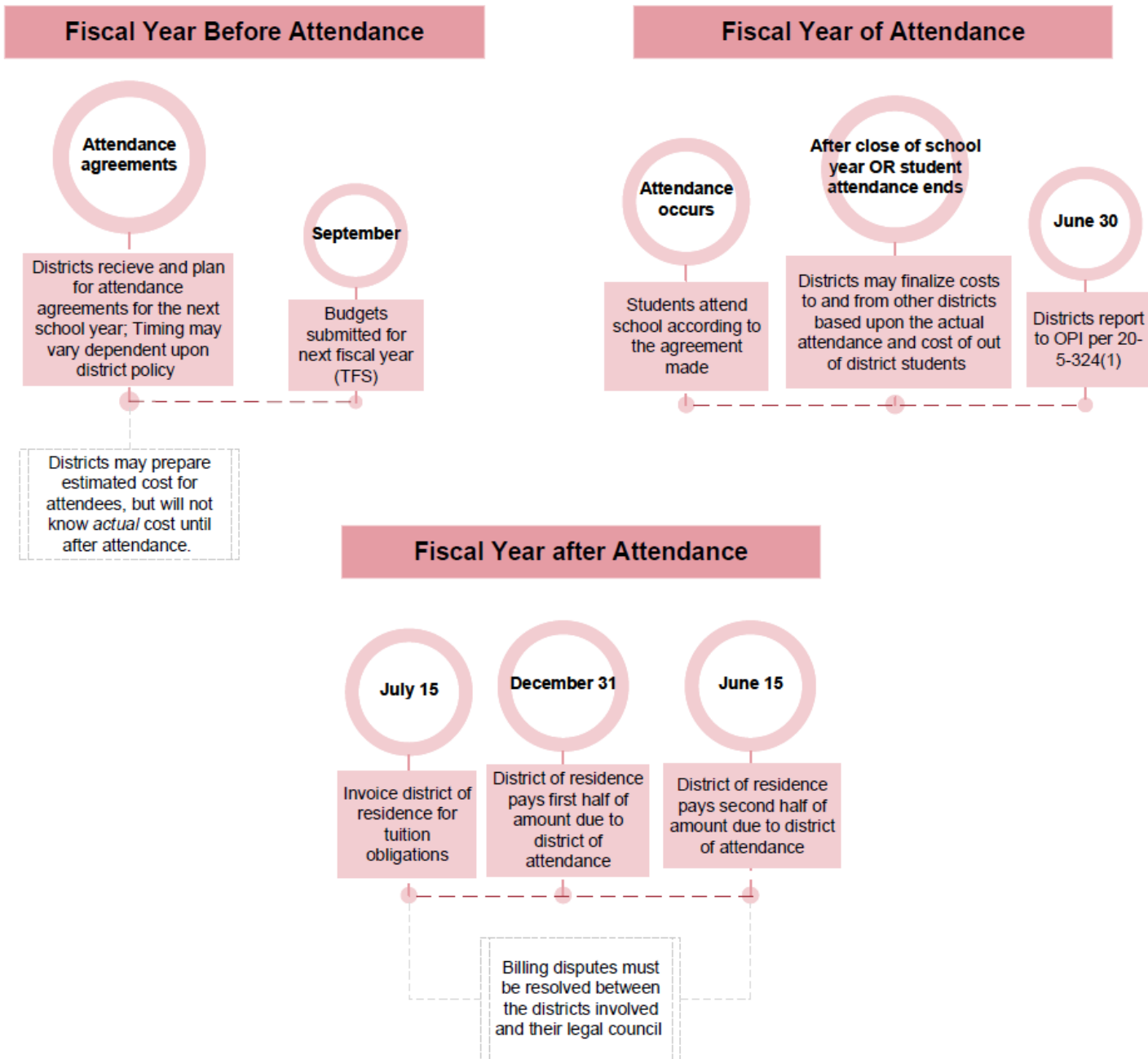
18. Accounting Guidance: Expenditure Codes

Payment Description	Expenditure Code (District of Residence)
In-state, regular education tuition payments	X13-XXX-1XXX-561
In-state, regular education transportation payments	X10-XXX-27XX-51X
In-state, special education tuition payments	X13-280-1XXX-561
In-state, special education transportation payments	X10-280-27XX-51X
In-state, day treatment tuition payments	X13-280-1XXX-320
In-state, private program tuition payments	X01-280-1XXX-320
Out-of-state, regular education tuition payments	X13-XXX-1XXX-562
Out-of-state, regular education transportation payments	X10-XXX-27XX-512
Out-of-state, special education tuition payments	X13-280-1XXX-562
Out-of-state, special education transportation payments	X10-280-27XX-512
Fees to detention facilities	X13-1XX-1XXX-563

19. Accounting Guidance: Revenue Codes

Payment Description	Revenue Code (District of Attendance)
Tuition funds exceeding prior year payment deposited into the Miscellaneous Programs Fund (15)	X15-1320-XXX (unique project reporter code required)
Tuition received for a special education student exceeding payment for a regular education student may be deposited into the Miscellaneous Programs Fund (15)	X15-1320-XXX (unique project reporter code required)
Tuition received for a regular education with extraordinary costs exceeding receipts from the prior year may be deposited into the Miscellaneous Programs Fund (15)	X15-1320-XXX (unique project reporter code required)
Tuition receipts from District of Residence paid to District of Attendance	X01-1320-XXX
Tuition receipts from OPI	X01-3117-XXX
Tuition receipts from another district	X01-1320-XXX
Transportation receipts, regular education	X10-1410-XXX
Transportation receipts, special education	X10-1420-XXX

20. Attendance Action Flow



21. Attendance Examples

Scenarios	Who Pays/Receives Tuition?		Tuition Rates	References
	Pays	Receives		
Closer to District of Attendance – at least 3 miles from District of Residence and District of Residence offers no transportation or mileage reimbursement.	District of Residence	District of Attendance	<ul style="list-style-type: none"> ✓ Regular Education: Up to 35.3% of maximum per-ANB rate. Districts use the lower of the percentage between the District of Residence and District of Attendance. Special Education: Determined by IEP hours or extraordinary cost. 	20-5-321 (1)(a), MCA 20-5-323, MCA ARM 10.16.3818
Student attends District of Attendance because geographic barrier prohibits student from attending school in District of Residence	District of Residence	District of Attendance	<ul style="list-style-type: none"> ✓ Up to 35.3% of maximum per-ANB rate. Districts use the lower of the percentage between the District of Residence and District of Attendance. ✓ Special Education: Determined by IEP hours or extraordinary cost. 	20-5-321 (1)(b), MCA 20-5-323, MCA ARM 10.16.3818
Elementary student has sibling attending high school outside of the elementary district and parent/ guardian chooses that elementary school as District of Attendance for convenience – student must live more than 3 miles from school in District of Residence	District of Residence	District of Attendance	<ul style="list-style-type: none"> ✓ Regular Education: Up to 35.3% of maximum per-ANB rate. Districts use the lower of the percentage between the District of Residence and District of Attendance. 	20-5-321 (1)(c), MCA 20-5-324 (5)(b), MCA 20-5-323, MCA
In-state placement by parent/guardian, state agency or court into foster care or a state-licensed group home – Residence of parent, guardian or court determines District of Residence and location of foster/group home determines District of Attendance	OPI	District of Attendance	<ul style="list-style-type: none"> ✓ Regular Education: Up to 35.3% of maximum per-ANB rate. Districts use the lower of the percentage between the District of Residence and District of Attendance. ✓ Special Education: Determined by IEP hours, extraordinary cost or specialized program. ✓ Regular Education Add-On: Based on cost, maximum of \$2,500 	20-5-321 (1)(d) & (1)(e), MCA 20-7-420 (2), MCA 20-5-323, MCA ARM 10.16.3818
Out-of-state by the District of Residence into a private residential facility	District of Residence	Facility	Determined by facility, negotiated by District of Residence	20-7-422 (2), MCA
Placement by state agency into a residential treatment center out-of- state	State Agency	Facility	Determined by facility, negotiated by state agency	20-7-422 (3), MCA

Scenarios	Who Pays/Receives Tuition?		Tuition Rates	References
	Pays	Receives		
Parent/guardian chooses to have student attend school in District of Attendance rather than District of Residence	District of Residence	District of Attendance	✓ Regular Education: Up to 35.3% of maximum per-ANB rate. Districts use the lower of the percentage between the District of Residence and District of Attendance	20-5-320 (2), MCA
Trustees in District of Residence negotiate with District of Attendance to place child with an individualized education program (IEP) at District of Attendance	District of Residence	District of Attendance	✓ Regular Education: Up to 35.3% of maximum per-ANB rate. Districts use the lower of the percentage between the District of Residence and District of Attendance ✓ Special Education: Determined by IEP hours, extraordinary cost or specialized program	20-7-421 (1), MCA 20-5-324 (5)(a), MCA 20-5-323, MCA ARM 10.16.3818
Trustees in District of Residence negotiate with District of Attendance to place child in District of Attendance	District of Residence	District of Attendance	✓ Regular Education: Up to 35.3% of maximum per-ANB rate. Districts use the lower of the percentage between the District of Residence and District of Attendance	20-5-320 (8), MCA 20-5-323, MCA
Homeless child (as defined by the Stewart B. McKinney Homeless Assistance Act) enrolls in the District of Attendance	NONE	NONE	✓ TUITION RATES DO NOT APPLY	Trustees may not require an out-of-district attendance agreement or tuition for a homeless child
Resident students detained in youth detention facility	District of Residence	Facility	DOR may be charged \$20 per day for each student detained more than 9 consecutive days	41-5-1807, MCA 20-9-130, MCA